

AMENDED IN ASSEMBLY APRIL 21, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1369**

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**Introduced by Assembly Member Pavley**  
**(Coauthor: Assembly Member Maze) Members Calderon,**  
**Hancock, Koretz, Maze, Mullin, and Vargas)**  
(Coauthors: Senators Figueroa and Romero), Machado, Romero, and  
Soto)

February 21, 2003

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An act to add Sections 1267.85 and Section 1569.6 to the Health and Safety Code, and to add Chapter 9.5 (commencing with Section 9620) to Division 8.5 of the Welfare and Institutions Code, relating to health facilities: *Code, relating to health facilities.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1369, as amended, Pavley. Health facilities.

Existing law authorizes the Emergency Medical Services Authority to establish minimum standards for the training and use of automatic external defibrillators by individuals not otherwise licensed or certified for the use of the device.

Under existing law, the State Department of Health Services licenses and regulates skilled nursing and intermediate care facilities.

Under existing law, the State Department of Social Services licenses and regulates residential care facilities for the elderly.

A violation of provisions relating to skilled nursing and intermediate care facilities and residential care facilities for the elderly is a crime.

Existing law contains provisions for the establishment of various types of programs that come within the definition of a senior center.

This bill would, commencing January 1, 2005, require every ~~skilled nursing facility, intermediate care facility, and~~ residential care facility for the elderly, where the facility's licensed bed capacity exceeds 60 persons, ~~and every senior center,~~ to purchase and train personnel in the use of automatic external defibrillators, ~~except that a state-operated skilled nursing or intermediate care facility would not be required to comply with the bill until January 1, 2008.~~

Because this bill would create a new ~~crimes~~ *crime*, it would impose new duties upon local law enforcement agencies, thus constituting a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 ~~SECTION 1. Section 1267.85 is added to the Health and~~  
2 ~~Safety Code, to read:~~

3 ~~1267.85. (a) Subject to subdivision (b), commencing~~  
4 ~~January 1, 2005, every skilled nursing facility and intermediate~~  
5 ~~care facility with a licensed bed capacity that exceeds 60 persons~~  
6 ~~shall purchase and train personnel in the use of an automatic~~  
7 ~~external defibrillator.~~

8 ~~(b) A facility operated by the state shall not be required to~~  
9 ~~comply with this section until January 1, 2008.~~

10 ~~SEC. 2.—~~

11 ~~SECTION 1. Section 1569.6 is added to the Health and Safety~~  
12 ~~Code, to read:~~

13 ~~1569.6. Commencing January 1, 2005, every residential care~~  
14 ~~facility for the elderly as defined in Section 1569.2 with a licensed~~  
15 ~~bed capacity that exceeds 60 persons shall purchase and train~~  
16 ~~personnel in the use of an automatic external defibrillator pursuant~~  
17 ~~to Section 1797.190 and subdivisions (a) to (e), inclusive, and (g)~~  
18 ~~of Section 1797.196.~~

1 ~~SEC. 3. Chapter 9.5 (commencing with Section 9620) is~~  
2 ~~added to Division 8.5 of the Welfare and Institutions Code, to read:~~

3  
4 ~~CHAPTER 9.5. USE OF DEFIBRILLATORS IN SENIOR CENTERS~~

5  
6 ~~9620. Commencing January 1, 2005, every senior center shall~~  
7 ~~purchase and train personnel in the use of an automatic external~~  
8 ~~defibrillator.~~

9 ~~9621. For purposes of this chapter, "senior center" shall have~~  
10 ~~the same definition as that used in subdivision (n) of Section 9591.~~

11 ~~SEC. 4.~~

12 ~~SEC. 2.~~ No reimbursement is required by this act pursuant to  
13 Section 6 of Article XIII B of the California Constitution because  
14 the only costs that may be incurred by a local agency or school  
15 district will be incurred because this act creates a new crime or  
16 infraction, eliminates a crime or infraction, or changes the penalty  
17 for a crime or infraction, within the meaning of Section 17556 of  
18 the Government Code, or changes the definition of a crime within  
19 the meaning of Section 6 of Article XIII B of the California  
20 Constitution.

